

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAY CONLIN,

Plaintiff,

v.

AEGIS SENIOR COMMUNITIES LLC,

Defendant.

Case No. 17-CV-05534-LHK

**ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

The motion of plaintiff Jay Conlin (“Plaintiff”) for an order granting final approval of the class action settlement reached with defendant Aegis Senior Communities, LLC (“Defendant”), that was preliminarily approved by the Court on July 25, 2018 (the “Settlement”), along with Plaintiff’s motion for an award of attorney’s fees, litigation costs and a service payment, came regularly on for hearing. Good cause having been shown, Plaintiff’s motions are GRANTED and IT IS HEREBY ORDERED, ADJUDICATED and DECREED:

1. The Court grants final approval of the Settlement, and finds the terms of the Settlement to be fair, reasonable and adequate under Rule 23(e) of the Federal Rules of Civil Procedure, including the amount of the settlement fund; the amount of distributions to class members; the procedure for giving notice to class members; the procedure for objecting to or

1 opting out of the Settlement; and the maximum amounts allocated to an incentive payment, costs
2 and attorney's fees.

3 2. The Court certifies for settlement purposes the Settlement Class described in the
4 Settlement, comprised of all persons who worked for Defendant as a non-exempt employee in
5 California at any time between August 18, 2013 and February 25, 2018.

6 3. The Court finds that class members were provided proper and adequate notice of
7 their rights in a manner that satisfies the requirements of due process.

8 4. The Court orders that all class members who did not timely file a request for
9 exclusion from the Settlement are barred from prosecuting against the Released Parties any and all
10 released claims as set forth in the Settlement.

11 5. The Court orders that Defendant make a payment into the settlement fund, in
12 accordance with the procedures set forth in the Settlement, of the amount needed to fund all
13 amounts payable under the Settlement.

14 6. The Court orders that payment from the settlement fund of settlement
15 administration fees to Dahl Administration in the amount of \$16,968 be made in accordance with
16 the Settlement.

17 7. The Court awards Plaintiff the amount of \$102,500 for reasonable attorney's fees,
18 to be paid from the settlement fund in accordance with the procedures set forth in the Settlement.

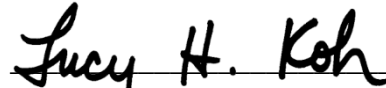
19 8. The Court awards Plaintiff the amount of \$10,000 for reasonable litigation costs, to
20 be paid from the settlement fund in accordance with the procedures set forth in the Settlement.

21 9. The Court awards Plaintiff the amount of \$4,000 as a class representative
22 enhancement payment, to be paid from the settlement fund in accordance with the procedures set
23 forth in the Settlement.

24 10. Without affecting the finality of this Order in any way, the Court shall retain
25 jurisdiction in this matter for the purposes of interpreting or enforcing the Settlement or final
26 judgment.

IT IS SO ORDERED.

Dated: November 29, 2018


LUCY H. KOH
United States District Judge

United States District Court
Northern District of California